

AMENDED IN SENATE MAY 27, 2008

AMENDED IN SENATE APRIL 16, 2008

AMENDED IN SENATE APRIL 2, 2008

SENATE BILL

No. 1674

Introduced by Senator Torlakson

(~~Coauthor: Senator Alquist~~ *Coauthors: Senators Alquist, Scott, and Wyland*)

February 22, 2008

An act to amend Sections 8482, 8483, 8483.1, 8483.2, 8483.55, 8483.7, 8483.75, 8483.9, and 44393 of, and to add *and repeal* Section 44394 ~~to~~ *of*, the Education Code, relating to before and after school programs.

LEGISLATIVE COUNSEL'S DIGEST

SB 1674, as amended, Torlakson. Before and after school programs.

(1) The After School Education and Safety Program Act of 2002, enacted by the initiative measure Proposition 49, establishes the After School Education and Safety Program to serve pupils in kindergarten and grades 1 to 9, inclusive, at participating public elementary, middle, junior high, and charter schools. The act authorizes the administrators of a program established pursuant to the act to operate during any combination of summer, intersession, or vacation periods for a minimum of 3 hours per day for the regular school year.

This bill, in addition, would authorize the administrators of a before or after school program to operate during weekends. Costs associated with providing after school activities on weekends would be paid from a program's maximum or supplemental grant.

~~(2) The After School Education and Safety Program Act of 2002 requires the department to apportion moneys, from those continuously appropriated under the act for purposes of before and after school programs, to program applicants in the form of grants according to a specified priority scheme. The act specifies maximum grant amounts for 3-year direct grants for before and after school programs.~~

~~This bill would make \$50,000 the minimum amount for an after school direct grant awarded annually for each elementary, middle, or junior high school with a total enrollment of 30 to 74 pupils, provided that the projected number of pupils to be served per day in the program is equal to at least $\frac{1}{2}$ of the school's total enrollment and is not less than 20 pupils, while \$30,000 would be the minimum amount for each elementary, middle, or junior high school with a total enrollment of less than 30 pupils, provided that the projected number of pupils to be served per day in the program is equal to at least $\frac{2}{3}$ of the school's total enrollment and is not less than 10 pupils. The bill would make \$16,500 the minimum amount for a before school direct grant awarded annually for each elementary, middle, or junior high school with a total enrollment of less than 30 pupils, provided that the projected number of pupils to be served per day in the program is equal to at least $\frac{2}{3}$ of the school's total enrollment.~~

~~(3)~~

~~(2) The After School Education and Safety Program Act of 2002 limits the amount of state funds a program participant may expend on administrative costs to 15% of the participant's funding.~~

~~This bill would require a program participant that contracts with another agency to provide some or all of the program's services to ensure that the contract includes funds for reasonable indirect and administrative costs incurred by the contracting agency.~~

~~(4)~~

~~(3) The After School Education and Safety Program Act of 2002 makes 1.5% of the funds continuously appropriated for purposes of that program available to the State Department of Education for purposes of providing technical assistance, evaluation, and training services, and for providing local assistance funds to support program improvement and technical assistance. The act authorizes the Legislature to amend that funding provision by a majority vote if the amendment furthers the purposes of the act.~~

~~This bill, beginning with the 2009–10 fiscal year, would require the department to transfer \$150,000 of those funds annually to the California~~

Commission on Teacher Credentialing to be expended by the commission for purposes of implementing the California After School Teacher Pipeline Program, as described in ~~(5)~~ (4) below.

~~(5)~~

(4) The Wildman-Keeley-Solis Exemplary Teacher Training Act of 1997 establishes the California School Paraprofessional Teacher Training Program for the purpose of recruiting paraprofessionals to participate in a program designed to encourage them to enroll in teacher training programs and to provide instructional service as teachers in the public schools.

This bill would establish the California After School Teacher Pipeline Program, a pilot program, for the purpose of recruiting qualified after school instructors to participate on a pilot basis in the California School Paraprofessional Teacher Training Program. The Commission on Teacher Credentialing would be required to select up to 4 school districts or county offices of education receiving program funds under the California School Paraprofessional Teacher Training Program that apply for pilot program funds. The bill would require, from the \$150,000 transferred annually to the commission to implement the pilot program, that a grant be awarded to each selected applicant, not to exceed \$3,500 per pilot participant per year. Before January 1, 2014, the commission would be required to report to the Legislature regarding the pilot program, as specified. *The pilot program would become inoperative on July 1, 2015, and would be repealed on January 1, 2016.*

~~(6)~~

(5) This bill also would make conforming changes.

~~(7)~~

(6) This bill would include a finding and declaration of the Legislature that the bill's provisions further the purposes of the After School Education and Safety Program Act of 2002.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 8482 of the Education Code is amended
2 to read:
3 8482. There is hereby established the After School Education
4 and Safety Program. All references to it by its prior name, the
5 Before and After School Learning and Safe Neighborhoods

Partnerships Program, in this article and other state law shall now identify it by its new name. The purpose of this program is to create incentives for establishing locally driven before and after school enrichment programs both during schooldays and weekends, summer, intersession, or vacation days that partner public schools and communities to provide academic and literacy support and safe, constructive alternatives for youth. The term public school includes charter schools.

SEC. 2. Section 8483 of the Education Code is amended to read:

8483. (a) (1) Every after school component of a program established pursuant to this article shall commence immediately upon the conclusion of the regular schoolday, and operate a minimum of 15 hours per week, and at least until 6 p.m. on every regular schoolday. Every after school component of the program shall establish a policy regarding reasonable early daily release of pupils from the program. For those programs or schoolsites operating in a community where the early release policy does not meet the unique needs of that community or school, or both, documented evidence may be submitted to the department for an exception and a request for approval of an alternative plan.

(2) It is the intent of the Legislature that elementary school pupils participate in the full day of the program every day during which pupils participate and that pupils in middle school or junior high school attend a minimum of nine hours a week and three days a week to accomplish program goals.

(3) In order to develop an age-appropriate after school program for pupils in middle school or junior high school, programs established pursuant to this article may implement a flexible attendance schedule for those pupils. Priority for enrollment of pupils in middle school or junior high school shall be given to pupils who attend daily.

(b) The administrators of a program established pursuant to this article have the option of operating during any combination of weekends, summer, intersession, or vacation periods for a minimum of three hours per day for the regular school year pursuant to Section 8483.7.

(c) The administrators of a program established pursuant to this article may provide activities on weekends. Costs associated with weekend activities shall be paid from the program's maximum

1 grant or the program's supplemental grant awarded pursuant to
2 Section 8483.7. *The participation of pupils in the weekend activities*
3 *shall not be included in the program's attendance reported to the*
4 *department for the calculation of either the maximum grant amount*
5 *or a supplemental grant amount pursuant to Section 8483.7.*

6 SEC. 3. Section 8483.1 of the Education Code is amended to
7 read:

8 8483.1. (a) (1) Every before school program component
9 established pursuant to this article shall in no instance operate for
10 less than one and one-half hours per regular schoolday. Every
11 program shall establish a policy regarding reasonable late daily
12 arrival of pupils to the program.

13 (2) (A) It is the intent of the Legislature that elementary school
14 pupils participate in the full day of the program every day during
15 which pupils participate and that pupils in middle school or junior
16 high school attend a minimum of six hours a week or three days
17 a week to accomplish program goals, except when arriving late in
18 accordance with the late arrival policy described in paragraph (1)
19 or as reasonably necessary.

20 (B) A pupil who attends less than one-half of the daily program
21 hours shall not be counted for the purposes of attendance.

22 (3) In order to develop an age-appropriate before school program
23 for pupils in middle school or junior high school, programs
24 established pursuant to this article may implement a flexible
25 attendance schedule for those pupils. Priority for enrollment of
26 pupils in middle school or junior high school shall be given to
27 pupils who attend daily.

28 (b) The administrators of a before school program established
29 pursuant to this article shall have the option of operating during
30 any combination of weekends, summer, intersession, or vacation
31 periods for a minimum of two hours per day for the regular school
32 year pursuant to Section 8483.75.

33 (c) Every before school program component established pursuant
34 to this article shall offer a breakfast meal as described by Section
35 49553 for all program participants.

36 SEC. 4. Section 8483.2 of the Education Code is amended to
37 read:

38 8483.2. Notwithstanding any other provision of this article, a
39 program electing to operate both a before and after school
40 component for the same pupils during weekends, summer,

1 intersession, or vacation periods shall operate these programs a
2 minimum of four and one-half hours per day.

3 SEC. 5. Section 8483.55 of the Education Code is amended to
4 read:

5 8483.55. (a) From the funds appropriated pursuant to
6 subdivision (b) of Section 8483.5, the department may spend 1.5
7 percent to cover evaluation costs and to provide training and
8 support to ensure quality program implementation, development,
9 and sustainability and may pay its costs of awarding and monitoring
10 grants.

11 (b) (1) Beginning with the 2006–07 fiscal year, 1.5 percent of
12 the funds appropriated pursuant to this article shall be available to
13 the department for purposes of providing technical assistance,
14 evaluation, and training services, and for providing local assistance
15 funds to support program improvement and technical assistance.

16 (2) Beginning with the 2009–10 fiscal year, one hundred fifty
17 thousand dollars (\$150,000) of the funds appropriated as described
18 in this section shall be transferred annually by the department to
19 the Commission on Teacher Credentialing for purposes of
20 implementing the California After School Teacher Pipeline
21 Program established in Section 44394.

22 (3) The department shall provide directly, or contract for,
23 technical assistance for new programs and any program that is not
24 meeting attendance or performance goals, or both, and requests
25 that assistance. The department shall allocate an appropriate level
26 of technical assistance funds to the regional system of support to
27 support program startup within 45 days after grant awards to
28 programs.

29 (4) (A) Training and support shall include, but is not limited
30 to, the development and distribution of voluntary guidelines for
31 physical activity programs established pursuant to paragraph (2)
32 of subdivision (c) of Section 8482.3, that expand the learning
33 opportunities of the schoolday.

34 (B) The department shall distribute these voluntary guidelines
35 for physical activity programs on or before July 1, 2009.

36 (c) The department shall contract for an independent statewide
37 evaluation of the effectiveness of programs funded pursuant to
38 this article to be prepared and submitted to the Legislature. The
39 evaluation shall include a comparison of outcomes for participating
40 pupils and similarly situated pupils who did not participate in the

1 program. A report shall be submitted to the Governor and the
2 Legislature on or before October 1, 2011, providing data that
3 includes, but is not limited to, all of the following:

- 4 (1) Data collected pursuant to Section 8484.
- 5 (2) Data adopted through the process outlined in subdivision
6 (b) of Section 8421.5 and subdivision (g) of Section 8482.4.
- 7 (3) Number and type of sites and grantees participating in the
8 program.
- 9 (4) Pupil program attendance, as reported semiannually, and
10 pupil schoolday attendance, as reported annually.
- 11 (5) Pupil program participation rates.
- 12 (6) Quality of program drawing on the research of the Academy
13 of Sciences on critical features of programs that support healthy
14 youth development.
- 15 (7) The participation rates of local educational agencies.
- 16 (8) Local partnerships.
- 17 (9) The academic performance of participating pupils in English
18 language arts and mathematics, as measured by the results of the
19 Standardized Testing and Reporting (STAR) Program established
20 pursuant to Section 60640.

21 (d) A final report shall be submitted to the Governor and the
22 Legislature on or before December 1, 2011. The final report shall
23 include, but not be limited to, all of the following:

- 24 (1) Updated data on the measures specified in subdivision (b),
25 including, but not limited to, changes in those measures.
- 26 (2) The prevalence and frequency of activities included in
27 funded programs.

28 SEC. 6. Section 8483.7 of the Education Code is amended to
29 read:

30 8483.7. (a) (1) (A) Each school that establishes a program
31 pursuant to this article is eligible to receive a three-year direct
32 grant, that shall be awarded in three one-year increments and is
33 subject to semiannual attendance reporting and requirements as
34 described in Section 8482.3 once every three years.

35 (i) The department shall provide technical support for
36 development of a program improvement plan for grantees under
37 the following conditions:

38 (I) If actual pupil attendance falls below 75 percent of the target
39 attendance level in any year of the grant.

1 (II) If the grantee fails, in any year of the grant, to demonstrate
2 measurable outcomes pursuant to Section 8484.

3 (ii) The department shall adjust the grant level of any school
4 within the program that is under its targeted attendance level by
5 more than 15 percent in each of two consecutive years.

6 (iii) In any year after the initial grant year, if the actual
7 attendance level of a school within the program falls below 75
8 percent of the target attendance level, the department shall perform
9 a review of the program and adjust the grant level as the department
10 deems appropriate.

11 (iv) The department shall create a process to allow a grantee to
12 voluntarily lower its annual grant amount if one or more sites are
13 unable to meet the proposed pupil attendance levels by the end of
14 the second year of the grant.

15 (v) A grantee who has had its grant amount reduced may
16 subsequently request an increase in funding up to the maximum
17 grant amounts provided under this subdivision.

18 (vi) The department may terminate the grant of any site or
19 program that does not comply with fiscal reporting, attendance
20 reporting, or outcomes reporting requirements established by the
21 department and pursuant to Section 8484. The department may
22 withhold the grant allocation for a program or site if the prior grant
23 year's fiscal or attendance reporting remain outstanding, until the
24 reports have been filed with the department.

25 (vii) Notwithstanding any other provision of this subdivision
26 or any other provision of law, after the technical assistance required
27 under clause (i) has been provided, the department may at any time
28 terminate the grant of any school in a program that fails for three
29 consecutive years to meet either of the following requirements:

30 (I) Demonstrate measurable program outcomes pursuant to
31 Section 8484.

32 (II) Attain 75 percent of its proposed attendance level after
33 having had its program reviewed and grant level adjusted by the
34 department.

35 (B) Direct grants may be awarded to applicants that have
36 demonstrated readiness to begin operation of a program or to
37 expand existing programs.

38 (C) The maximum total direct grant amount awarded annually
39 pursuant to this paragraph shall be one hundred twelve thousand
40 five hundred dollars (\$112,500) for each regular school year for

each elementary school and one hundred fifty thousand dollars (\$150,000) for each regular school year for each middle or junior high school. The Superintendent shall determine the total annual direct grant amount for which a site is eligible based on a formula of seven dollars and fifty cents (\$7.50) per pupil per day of pupil attendance that the program plans to serve, with a maximum total grant of thirty-seven dollars and fifty cents (\$37.50) per projected pupil per week, and a formula of seven dollars and fifty cents (\$7.50) per projected pupil per day of staff development, with a maximum of three staff development days per year. A program may provide the three days of staff development during regular program hours using funds from the total grant award.

~~(D) (i) The minimum total direct grant amount awarded annually pursuant to this paragraph shall be fifty thousand dollars (\$50,000) for each elementary, middle, or junior high school with a total enrollment of 30 to 74 pupils, provided that the projected number of pupils to be served per day in the program is equal to at least one-half of the school's total enrollment and is not less than 20 pupils.~~

~~(ii) The minimum total direct grant amount awarded annually pursuant to this paragraph shall be thirty thousand dollars (\$30,000) for each elementary, middle, or junior high school with a total enrollment of less than 30 pupils, provided that the projected number of pupils to be served per day in the program is equal to at least two-thirds of the school's total enrollment and is not less than 10 pupils.~~

(2) For large schools, the maximum total grant amounts described in paragraph (1) may be increased based on the following formulas, up to a maximum amount of twice the respective limits specified in paragraph (1):

(A) For elementary schools, multiply one hundred thirteen dollars (\$113) by the number of pupils enrolled at the schoolsite for the normal schoolday program that exceeds 600.

(B) For middle schools, multiply one hundred thirteen dollars (\$113) by the number of pupils enrolled at the schoolsite for the normal schoolday program that exceeds 900.

(3) The maximum total grant amounts set forth in subparagraph (C) of paragraph (1) may be increased from any funds made available for this purpose in the annual Budget Act for participating schools that have pupils on waiting lists for the program. Grants

1 may be increased by the lesser of an amount that is either 25
2 percent of the current maximum total grant amount or equal to the
3 proportion of pupils unserved by the program as measured by
4 documented waiting lists as of January 1 of the previous grant
5 year, compared to the actual after school enrollment on the same
6 date. The amount of the required cash or in-kind matching funds
7 shall be increased accordingly. First priority for an increased
8 maximum grant pursuant to this paragraph shall be given to schools
9 that qualify for funding pursuant to subdivision (b) of Section
10 8482.55. Second priority shall be given to schools that receive
11 funding priority pursuant to subdivision (f) of Section 8482.55.

12 (4) A school that establishes a program pursuant to this section
13 is eligible to receive a supplemental grant to operate the program
14 in excess of 180 regular schooldays or during any combination of
15 weekends, summer, intersession, or vacation periods for a
16 maximum of the lesser of the following amounts:

17 (A) Seven dollars and fifty cents (\$7.50) per day per pupil.

18 (B) Thirty percent of the total grant amount awarded to the
19 school per school year pursuant to subparagraph (C) of paragraph
20 (1).

21 (5) Each program shall provide an amount of cash or in-kind
22 local funds equal to not less than one-third of the total grant from
23 the school district, governmental agencies, community
24 organizations, or the private sector. Facilities or space usage may
25 fulfill not more than 25 percent of the required local contribution.

26 (6) (A) A grantee may allocate, with departmental approval,
27 up to 125 percent of the maximum total grant amount for an
28 individual school, so long as the maximum total grant amount for
29 all school programs administered by the program grantee is not
30 exceeded.

31 (B) A program grantee that transfers funds for purposes of
32 administering a program pursuant to subparagraph (A) shall have
33 an established waiting list for enrollment, and may transfer only
34 from another school program that has met a minimum of 70 percent
35 of its attendance goal.

36 (b) The administrator of a program established pursuant to this
37 article may supplement, but not supplant, existing funding for after
38 school programs with grant funds awarded pursuant to this article.
39 State categorical funds for remedial education activities shall not

1 be used to make the required contribution of local funds for those
2 after school programs.

3 (c) Up to 15 percent of the initial year's grant amount for each
4 grant recipient may be utilized for startup costs. Under no
5 circumstance shall funding for startup costs result in an increase
6 in the grant recipient's total funding above the approved grant
7 amount.

8 (d) For each year of the grant, the department shall award the
9 total grant amount for that year not later than 30 days after the date
10 the grantee accepts the grant.

11 (e) The department may adjust the amount of a direct grant,
12 awarded to a new applicant pursuant to this section, on the basis
13 of the program start date, as determined by the department.

14 SEC. 7. Section 8483.75 of the Education Code is amended to
15 read:

16 8483.75. (a) (1) (A) Each school that establishes a before
17 school program component pursuant to Section 8483.1 is eligible
18 to receive a three-year renewable direct grant, that shall be awarded
19 in three one-year increments and is subject to semiannual
20 attendance reporting and renewal as required by the department.
21 Before school programs established pursuant to this section shall
22 be subject to the same reporting and accountability provisions
23 described in subparagraph (A) of paragraph (1) of subdivision (a)
24 of Section 8483.7.

25 (B) The maximum total grant amount awarded annually pursuant
26 to this paragraph shall be thirty-seven thousand five hundred dollars
27 (\$37,500) for each regular school year for each elementary school
28 and forty-nine thousand dollars (\$49,000) for each regular school
29 year for each middle or junior high school.

30 (C) The Superintendent shall determine the total annual direct
31 grant amount for which a site is eligible based on a formula of five
32 dollars (\$5) per pupil per day that the program plans to serve, with
33 a maximum total grant of twenty-five dollars (\$25) per projected
34 pupil per week.

35 ~~(D) The minimum total direct grant amount awarded annually~~
36 ~~pursuant to this paragraph shall be sixteen thousand five hundred~~
37 ~~dollars (\$16,500) for each elementary, middle, or junior high school~~
38 ~~with a total enrollment of less than 30 pupils, provided that the~~
39 ~~projected number of pupils to be served per day in the program is~~
40 ~~equal to at least two-thirds of the school's total enrollment.~~

(2) For large schools, the maximum total grant amounts described in paragraph (1) may be increased based on the following formulas, up to a maximum amount of twice the respective limits specified in paragraph (1):

(A) For elementary schools, multiply seventy-five dollars (\$75) by the number of pupils enrolled at the schoolsite for the normal schoolday program that exceeds 600.

(B) For middle schools, multiply seventy-five dollars (\$75) by the number of pupils enrolled at the schoolsite for the normal schoolday program that exceeds 900.

(3) A school that establishes a program pursuant to this article is eligible to receive a supplemental grant to operate the program in excess of 180 schooldays during any combination of weekends, summer, intersession, or vacation periods for a maximum of 30 percent of the total grant amount awarded to the school per school year under this subdivision.

(4) Each program shall provide an amount of cash or in-kind local funds equal to not less than one-third of the total grant from the school district, governmental agencies, community organizations, or the private sector. Facilities or space usage may fulfill not more than 25 percent of the required local contribution.

(5) (A) The department may award up to 125 percent of the maximum total grant amount for an individual school, so long as the maximum total grant amount for all school programs administered by the program grantee is not exceeded.

(B) A program grantee that is awarded funds pursuant to subparagraph (A) shall have an established waiting list for enrollment, and may receive funds only from another school program that has met a minimum of 70 percent of its attendance goal.

(b) The administrator of a program established pursuant to this article may supplement, but not supplant, existing funding for before school programs with grant funds awarded pursuant to this article. State categorical funds for remedial education activities shall not be used to make the required contribution of local funds for those before school programs.

(c) Up to 15 percent of the initial year's grant amount for each grant recipient may be utilized for startup costs. Under no circumstance shall funding for startup costs result in an increase

1 in the grant recipient's total funding above the approved grant
2 amount.

3 (d) For each year of the grant, the department shall award the
4 total grant amount for that year not later than 30 days after the date
5 the grantee accepts the grant.

6 SEC. 8. Section 8483.9 of the Education Code is amended to
7 read:

8 8483.9. (a) A program participant receiving funding pursuant
9 to this article may expend on indirect costs no more than the lesser
10 of the following:

11 (1) The school district's indirect cost rate, as approved by the
12 department for the appropriate fiscal year.

13 (2) Five percent of the state program funding received pursuant
14 to this article.

15 (b) A program participant receiving state funding pursuant to
16 this article may expend no more than 15 percent of that funding
17 on administrative costs, which funding need not be earned through
18 pupil attendance. For purposes of this section, administrative costs
19 shall include indirect costs, as described in subdivision (a).

20 (c) A program participant receiving state funding pursuant to
21 this program shall ensure that no less than 85 percent of that
22 funding is allocated to schoolsites for direct services to pupils.

23 (d) A program participant receiving state funding pursuant to
24 this article that contracts with another agency to provide some or
25 all of the program's services shall ensure that the contract includes
26 funds for reasonable indirect and administrative costs incurred by
27 the contracting agency.

28 SEC. 9. Section 44393 of the Education Code is amended to
29 read:

30 44393. (a) The California School Paraprofessional Teacher
31 Training Program is hereby established for the purpose of recruiting
32 school paraprofessionals to participate in a program designed to
33 encourage them to enroll in teacher training programs and to
34 provide instructional service as teachers in the public schools.

35 (b) The commission, in consultation with the Chancellor of the
36 California Community Colleges, the Chancellor of the California
37 State University, the President of the University of California, the
38 chancellors of private institutions of higher education that offer
39 accredited teacher training programs, and representatives of
40 certificated and classified employee organizations, shall select 24

1 or more school districts or county offices of education representing
2 rural, urban, and suburban areas that apply to participate in the
3 program. The commission shall ensure that, at a minimum, a total
4 of 600 school paraprofessionals are recruited from among the 24
5 or more participating school districts or county offices of education.
6 The criteria adopted by the commission for the selection of school
7 districts or county offices of education to participate in the program
8 shall include all of the following:

9 (1) The extent to which the applicant demonstrates the capacity
10 and willingness to accommodate the participation of school
11 paraprofessionals in teacher training programs conducted at
12 institutions of higher education.

13 (2) The extent to which the applicant's plan for the
14 implementation of its recruitment program involves the active
15 participation of one or more local campuses of the participating
16 institutions of higher education in the development of coursework
17 and teaching programs for participating school paraprofessionals.
18 Each selected applicant shall be required to enter into a written
19 articulation agreement with the participating campuses of the
20 institutions of higher education.

21 (3) The extent to which the applicant's plan for recruitment
22 attempts to meet the demand for bilingual-crosscultural teachers.

23 (4) The extent to which the applicant's plan for recruitment
24 attempts to meet the demand for multiple subject credentialed
25 teachers interested in teaching kindergarten or any of grades 1 to
26 3, inclusive. For purposes of this paragraph, each paraprofessional
27 selected to participate shall have completed at least two years of
28 undergraduate college or university coursework and shall have
29 demonstrated an interest in obtaining a multiple subject teaching
30 credential for teaching kindergarten or any of grades 1 to 3,
31 inclusive.

32 (5) The extent to which the applicant's plan for recruitment
33 attempts to meet the demand for special education teachers.

34 (6) The extent to which a developmentally sequenced series of
35 job descriptions leads from an entry-level school paraprofessional
36 position to an entry-level teaching position in that school district
37 or county office of education.

38 (7) The extent to which the applicant's plan for recruitment
39 attempts to meet its own specific teacher needs.

1 (8) The extent to which the applicant's plan for implementation
2 of its recruitment program involves participation in a district
3 internship program pursuant to Article 7.5 (commencing with
4 Section 44325) and Section 44830.3 or a university internship
5 program pursuant to Article 3 (commencing with Section 44450)
6 of Chapter 3.

7 (c) An applicant that is selected to participate pursuant to
8 subdivision (b) shall provide information and assistance to each
9 school paraprofessional it recruits under the program regarding
10 admission to a teacher training program.

11 (d) (1) The applicant shall recruit and organize groups, or
12 "cohorts," of participants of no more than 30, and no less than 10,
13 in each cohort. Cohorts shall be organized to consist of participants
14 having approximately equal academic experience and
15 qualifications, as determined by the school district or county office
16 of education. To the extent possible, the members of each cohort
17 shall proceed through the same subject matter and credential
18 programs. The members of each cohort shall enroll in the same
19 college or university and shall be provided appropriate support,
20 mentoring, advising, and information throughout the course of
21 their studies by the applicant.

22 (2) An applicant shall require participants to satisfy all of the
23 following requirements prior to participating in the program:

24 (A) For the purpose of obtaining current criminal history
25 information from the Department of Justice and the Federal Bureau
26 of Investigation, obtain a certificate of clearance from the
27 commission pursuant to Sections 44339 to 44341, inclusive, and
28 related regulations adopted by the commission.

29 (B) Provide verification of one of the following:

30 (i) Has earned an associate or higher level degree.

31 (ii) Has completed at least two years of study at a postsecondary
32 educational institution.

33 (iii) Has received a passing score on a formal academic
34 assessment that demonstrates knowledge of, and the ability to
35 assist in the instruction of, reading, writing, and mathematics. The
36 formal academic assessment shall be based upon a job analysis
37 for validity purposes and shall be made readily available to
38 examinees.

1 (3) An applicant shall certify that it has received a commitment
2 from each participant that he or she will accomplish all of the
3 following:

4 (A) Graduate from an institution of higher education under the
5 program with a bachelor's degree.

6 (B) Complete all of the requirements for and obtain a multiple
7 subject, single subject, or education specialist teaching credential.

8 (C) Complete one school year of classroom instruction in the
9 district or county office of education for each year that he or she
10 receives assistance for books, fees, and tuition while attending an
11 institution of higher education under the program.

12 (4) To the extent that a participant does not fulfill his or her
13 obligations, as set forth in paragraph (3), the participant shall be
14 required to repay the assistance. If a participant is laid off, the
15 participant may not be required to repay the assistance until the
16 participant is offered reemployment and has an opportunity to
17 fulfill his or her obligations under this section.

18 (5) Except as otherwise provided in paragraph (4), if a
19 participant is unable to fulfill his or her obligations pursuant to
20 paragraph (3) due to a serious illness, a pregnancy, or another
21 natural cause, the time period for repayment of the assistance shall
22 be extended by a maximum period of one year.

23 (6) Except as otherwise provided in paragraph (4), if an
24 interruption in employment caused by a natural disaster prevents
25 a participant from completing one of the required years of service,
26 the time period for repayment of the assistance shall be extended
27 by a period equal to the period between the date the interruption
28 of employment begins and the date employment resumes.

29 (e) The commission shall contract with an independent evaluator
30 with a proven record of experience in assessing career-advancement
31 programs or teacher training programs to conduct an evaluation
32 to determine the success of the recruitment programs established
33 pursuant to subdivision (b). The evaluation shall be conducted
34 once every five years and shall incorporate data annually collected
35 by the commission and reported to the Legislature. The commission
36 shall complete the evaluation with existing resources. By January
37 1 of each year in which an evaluation is conducted pursuant to this
38 subdivision, commencing with January 1, 2009, the commission
39 shall submit the completed evaluation to the Governor and the
40 education policy and fiscal committees of the Assembly and Senate.

1 The evaluation shall include, but is not limited to, all of the
2 following:

3 (1) The total cost per person participating in the program who
4 successfully obtains a teaching credential, based upon all state,
5 local, federal, and other sources of funding.

6 (2) The economic status of persons participating in the program.

7 (3) A description of financial and other resources made available
8 to each recruitment program by participating school districts or
9 county offices of education, institutions of higher education, and
10 other participations.

11 (4) The extent to which pupil performance on standardized
12 achievement tests has improved in classes taught by teachers who
13 have successfully completed the program, in comparison to classes
14 taught by other teachers who have equivalent teaching experience.

15 (5) The extent to which pupil dropout rates and other measures
16 of delinquency have improved in classes taught by teachers who
17 have successfully completed the program.

18 (6) The extent to which teachers who have successfully
19 completed the program remain in the communities in which they
20 reside and in which they teach.

21 (7) The attrition rate of teachers who have successfully
22 completed the program.

23 (f) Each selected school district or county office of education
24 shall report to the commission regarding the progress of each cohort
25 of school paraprofessionals, the number of prospective participants
26 who annually apply for the program and are not accepted due to
27 program capacity restraints, and other information regarding its
28 recruitment program as the commission may direct.

29 (g) No later than January 1 of each year, the commission shall
30 report to the Legislature regarding the status of the program,
31 including, but not limited to, the number of school
32 paraprofessionals recruited, the academic progress of the school
33 paraprofessionals recruited, the number of school paraprofessionals
34 recruited who are subsequently employed as teachers in the public
35 schools, the degree to which the program meets the demand for
36 bilingual and special education teachers as well as meeting teacher
37 needs in shortage areas as determined by the school district or
38 county office of education, the degree to which the program or
39 similar programs can meet that demand if properly funded and
40 executed, the number of prospective participants who annually

1 apply for the program and are not accepted due to program capacity
2 restraints, and other effects upon the operation of the public
3 schools.

4 (h) (1) It is the intent of the Legislature that each fiscal year,
5 funding for the California School Paraprofessional Teacher
6 Training Program be allocated to the Commission on Teacher
7 Credentialing for grants to applicants pursuant to this section. A
8 grant to an applicant shall not exceed three thousand five hundred
9 dollars (\$3,500) per participant per year. Funding for grants to
10 applicants pursuant to this subdivision shall be contingent upon
11 an appropriation in the annual Budget Act.

12 (2) The commission shall report to the Department of Finance
13 by March 31 of each year the amount of funds collected by school
14 districts and county offices of education as repayment of assistance
15 pursuant to paragraph (4) of subdivision (d) and the amount of
16 funds that remain unspent from the funds appropriated to the
17 commission in the annual Budget Act for purposes of the program.

18 SEC. 10. Section 44394 is added to the Education Code, to
19 read:

20 44394. (a) For purposes of this section, unless the context
21 clearly requires otherwise, the following terms shall have the
22 following meanings:

23 (1) “After school instructor” means an employee who meets the
24 minimum standards of the paraprofessional job classification as
25 defined by the applicant school district or county office of
26 education and who is employed in an after school program by a
27 school district, city, county, or nonprofit organization that receives
28 funds pursuant to the 21st Century High School After School Safety
29 and Enrichment for Teens program (Article 19 (commencing with
30 Section 8420) of Chapter 2 of Part 6 of Division 1 of Title 1), the
31 After School Education and Safety Program (Article 22.5
32 (commencing with Section 8482) of Chapter 2 of Part 6 of Division
33 1 of Title 1), or the 21st Century Community Learning Centers
34 program (Article 22.6 (commencing with Section 8484.7) of
35 Chapter 2 of Part 6 of Division 1 of Title 1) either as a grantee or
36 through a school district subcontract. This definition of “after
37 school instructor” applies only to this section.

38 (2) “Applicant” means a school district or county office of
39 education receiving program funds under the California School
40 Paraprofessional Teacher Training Program established in Section

1 44393 and applying for pilot program funds pursuant to the
2 California After School Teacher Pipeline Program established in
3 subdivision (b).

4 (3) “Institutions of higher education” means the California
5 Community Colleges, the California State University, the
6 University of California, and private ~~institutions of higher~~
7 ~~education~~ *postsecondary educational institutions* that offer an
8 accredited teacher training program.

9 (4) “Pilot” means the California After School Teacher Pipeline
10 Program.

11 (5) “Pilot participant” means an after school instructor who
12 elects to participate in the California School Paraprofessional
13 Teacher Training Program and the California After School Teacher
14 Pipeline Program.

15 (6) “Program” means the California School Paraprofessional
16 Teacher Training Program.

17 (7) “Teacher training program” means an undergraduate or
18 graduate program of instruction conducted by a campus of an
19 institution of higher education that includes a developmentally
20 sequenced career ladder to provide instruction, coursework, and
21 clearly defined tasks for each level of the ladder, and that is
22 designed to qualify pupils enrolled in the program for a teaching
23 credential authorizing instruction in kindergarten and grades 1 to
24 12, inclusive.

25 (b) The California After School Teacher Pipeline Program is
26 hereby established for the purpose of recruiting qualified after
27 school instructors to participate on a pilot basis in the California
28 School Paraprofessional Teacher Training Program established
29 pursuant to Section 44393.

30 (c) The commission shall select up to four applicants to
31 participate in the pilot.

32 (d) In addition to satisfying all ~~the~~ of the requirements of the
33 program, the commission shall require applicants for the pilot to
34 demonstrate all of the following:

35 (1) A screening process that will determine if a pilot participant’s
36 after school instruction experience ensures participant readiness
37 for the pilot.

38 (2) How the applicant will ensure professional support for pilot
39 participants, including, but not limited to, mentor teacher oversight,
40 classroom experience, and academic content instruction experience.

(3) How the applicant will track pilot participants within the program.

(4) That the applicant and pilot participants will meet all the same requirements pursuant to Section 44393 for this pilot, including, but not limited to, the requirements for participant eligibility and commitments, program design, and program reporting.

(e) (1) From the funds transferred to the commission pursuant to paragraph (2) of subdivision (b) of Section 8483.55, the commission shall award a grant to each selected applicant, not to exceed three thousand five hundred dollars (\$3,500) per pilot participant per year. The commission may award funding for after school instructors to participate in the pilot only to the extent that the funds described in this paragraph cover all of the costs associated with instructor participation in the pilot and any costs incurred by the commission pursuant to paragraphs (2) and (3).

(2) The commission shall include this pilot and pilot participants in all the reporting requirements pursuant to Section 44393.

(3) Before January 1, 2014, the commission shall report to the Legislature regarding the pilot. The report shall include the ability of applicants to successfully integrate the pilot into their existing program and the number of participants in the pilot who receive teaching credentials.

(f) This section shall become inoperative on July 1, 2015, and, as of January 1, 2016, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2016, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 11. The Legislature finds and declares that this act furthers the purposes of the After School Education and Safety Program Act of 2002.

CORRECTIONS:

Digest—Page 2.

Text—Pages 11 and 19.

O